

**TRIBAL COUNCIL MEETING MINUTES
OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES
OF THE FLATHEAD INDIAN NATION, MONTANA**

Volume 17 Number 66
Council Chambers, Pablo, MT

Held: July 27, 2017
Approved: August 8, 2017

MEMBERS PRESENT: Vernon Finley, Chairman; Leonard TwoTeeth, Vice-Chairman; Troy Felsman, Secretary; Anita Matt, Treasurer; Dennis Clairmont; Leonard Gray; Ronald Trahan; Shelly Fyant; and Patty Stevens.

MEMBERS ABSENT: Carole Lankford (AMERIND – Arizona).

OTHERS PRESENT: Jennifer Trahan, Council Office Manager; Bill Kehoe, Sergeant at Arms; and Abby Dupuis, Recording Secretary.

The meeting was called to **order** at 9:08 a.m. Quorum established.

The meeting was opened with a **prayer** by Leonard Gray.

The **Tribal Council Meeting Minutes** for July 18, 2017 were presented for approval.

MOTION by Anita Matt to approve the Tribal Council Meeting Minutes for July 18, 2017, with corrections. Seconded by Troy Felsman. Carried, 7 for; 2 abstentions (Ron Trahan and Len TwoTeeth).

The **agenda** was presented for approval. No conflicts of interest were identified.

MOTION by Leonard Gray to approve the agenda, with changes. Seconded by Patty Stevens. Carried, unanimous (9 present).

Helen Camel, Tribal Employee, requested to meet with council in **executive session** to discuss a personnel matter. **Rhonda Swaney**, Legal Department; **Jami Pluff**, Policy Analyst; and **Melanie Piedalue**, Personnel Department; were present for discussion.

Rhonda Swaney, Legal Department; and **Melanie Piedalue**, Personnel Department; met with council in **executive session** to discuss a personnel matter.

***** **Break** *****

Sharon Buckskin Michel, Tribal Member, requested to meet with council in **executive session** to discuss a personal matter. **Jami Pluff**, Policy Analyst; and **Kelly Parker**, Department of Human Resources Development; were present for discussion.

Council reconvened into **regular session**.

Stephanie Gillin and **Art Soukkala**, Natural Resources Department, conducted the Ferry Basin bull elk and Little Money bighorn sheep hunting permit drawings. A total of 549 applications were entered. 437 people entered for ram permits; the quota is 8. 152 people entered for ewe permits; the quota is 4. 479 people entered for bull permits; the quota is 30. The names drawn were: Ferry Berry Bull Elk permits – Derwin J. Adams, Erich Morigeau, Madeline Finley, Vernon Fisher Sr., Daniel S. Brown, Todd J. Couture, Lee D. Grant, Lorene Y. Mitchell, Charles T. Tenas, Nicole Spotted Eagle, Josh Wagner, Pasquinel Peone, Cheyenne McClure, Amanda D. Courville, Wilhelmina J. Keenan, William Fisher Jr., Naida Lefthand, Thomas Antiste, Dina Jablonsky, Mark W. Thompson, Lisa C. Frost, Carlin V. Matt, Colby J. Roberts, Frederick A. DePoe Jr., Payton A. Lefthand, LeRoy Black III, Eric W. Peak, Holly S. Hitchcock, Whitney E. Malatare, and Garrett Fenton. Little Money Ram permits – Marlin McDonald, John W. Malatare Jr., Terri Piapot, Richard A. Steele, Nicole A. Pablo, Charles L. Bird, Francis M. Barnaby, and Shane R. Hendrickson. Little Money Ewe permits – Francis E. Cahoon Jr., Alvis L. LaDue, James T. Knapp, and Adam A. Westerman.

Rich Janssen, Natural Resources Department, presented a request for a collection permit from the Great Lakes Environmental Center, Inc. to sample Eagle Lake # 2. The staff will accompany them. They have been doing this sampling for the past three years. **Shelly Fyant** requested the results for the past two years. **Ron Trahan** wanted to know where the report has gone for the past ten years and what they do with the data. **Rich Janssen** will follow up and report back.

MOTION by Patty Stevens to grant a collection permit to the Great Lakes Environmental Center, Inc. to sample Eagle Lake # 2. Seconded by Troy Felsman. Carried, unanimous (9 present).

Tom McDonald, Natural Resources Department, informed council that he attended the Flathead Lakers event and the Tribes were honored with a plaque to recognize the aquatic invasive species emergency team. Tom accepted the award on behalf of the Tribes, and he gave the plaque to tribal council. **Shelly Fyant** requested that an article be published on the AIS efforts and accomplishments. **Council** told the staff that the plaque could remain in their offices in recognition of the staff's hard work.

Pablo “Chib” Espinoza and **Tom McDonald**, Natural Resources Department, presented the Fish & Game quarterly report. **Anita Matt** discussed the river traffic in Moiese. The vehicles pulling boats are going 60 mph. People are also making their own ramps and are entering on tribal leases. **Shelly Fyant** reported on an incident about a mountain lion at SKC Housing. SKC Security was called. In the follow up with the family she found out that Fish and Game was not informed and SKC Security did not call tribal dispatch. Shelly asked Chib to contact dispatch and SKC Security. The word did not get reported to the proper people. **Chairman Finley** requested that future Fish & Game quarterly reports reflect the number of individuals that ignore the permit citations. Vernon expressed his appreciation for the game wardens assisting with the bison hunt patrols and also assisting with the funeral escorts. **Stacey Courville**, Natural Resources Department, discussed bear safety. The program encourages the membership to have electric fences and provides education on how to prevent conflicts with bears. There is a program that will reimburse people some funding to install electric fencing.

Stacey Courville, Natural Resources Department, gave an update on wolf management. There have not been any depredations from wolves this year. They have not had to place radio collars on any wolves this year either. No wolves were trapped last year. He gave an overview of the grizzly bear that had to be euthanized for repeated killing of livestock (lamas, calves and pigs). Stacey has the chronology of events that occurred prior to putting down the bear.

Vern Clairmont and **Ruth Swaney**, Financial Management, presented the highlights of the third quarter financial report.

Vern Clairmont and **Ruth Swaney**, Financial Management, requested approval of a resolution approving the fiscal year 2018 Tribal General Fund Budget.

MOTION by Patty Stevens to approve by resolution the fiscal year 2018 Tribal General Fund Budget. Seconded by Anita Matt. Carried, 8 for; 0 opposed; 1 abstention (Shelly Fyant).

RESOLUTION 17-178

RESOLUTION APPROVING THE FISCAL YEAR 2018 TRIBAL GENERAL FUND BUDGET

BE IT RESOLVED BY THE TRIBAL COUNCIL OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES:

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WHEREAS, the projected FY 2018 Treasury revenue of \$20,732,667, projected FY 2018 Local revenue of \$940,313, and prior years' unexpended revenues are available to appropriate to the General Fund budget; and

WHEREAS, reduced General Fund revenues necessitate the elimination of the following allocations: Tribal Bison Range, \$250,000; SKC Public TV Donation, \$75,000; Get Out The Vote, \$5,000; Political Campaign Contributions, \$5,000; and Lobbying, \$96,000; and

WHEREAS, reduced General Fund revenues necessitate the transfer to the Dedicated Trust Fund the following: Nkwusm, \$616,000; Communication Projects, \$52,000; Contingency for Pre-Emergencies, \$25,000; Donation to American Indian Veterans Memorial, \$850; Donation to Mission Valley Honor Guard, \$1,000; Bison Shipping/Processing, \$105,500; SKC Capital Campaign, \$10,000; Salish Language Conference, \$5,000; Women for Wellness Conference, \$3,000; Powwows and Celebrations, \$89,000; Two Eagle River School Supplement, \$133,000; and Debt Retirement, \$181,523; and

WHEREAS, reduced General Fund revenues necessitate the transfer to the Enterprise Dividend Fund the following: Forestry TSI, \$448,000; and

WHEREAS, reduced General Fund revenues necessitate the transfer to the Fish & Wildlife Fund the following: Yellowstone Bison Hunting Patrol, \$10,000 and Interagency Bison Management Plan, \$10,000; and

WHEREAS, the estimated expense for travel for the following programs is reduced by 50% and results in a reduced total budget allocation for FY 2018: Public Defenders, -\$1,700; Tribal Preservation, -\$2,900; Second Circle Lodge, -\$2,000; Tribal Council, -\$49,755; Disaster Emergency Services, -\$900; and Tribal Legal Department, -\$33,000; and

WHEREAS, the budget will be allocated as follows:

Account	Program Description	Budget Amount
02-501-6190	Tribal Prosecutors Office	523,000
02-501-6241	Tribal Defenders Office	575,300
02-501-6250	Salish-Pend d'Oreille Culture Committee	528,000
02-501-6251	Nkwusm	0
02-501-6255	Historic Preservation Department	307,100
02-501-6256	The People's Center	200,000
02-501-6260	Kootenai Culture Committee	613,000
02-501-6270	Char-Koosta News (75%)	284,000
02-501-6290	Kerr Elderly Program	435,000
02-501-6300	Facilities O&M	132,000
02-502-6115	Second Circle Lodge	298,000
02-502-6318	Dire Need	85,000

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02-503-6312	NRD Water Administration	123,000
02-503-6314	NRD Shoreline Protection	294,000
02-503-6315	NRD Fisheries	90,000
02-503-6316	Tribal Water Management	157,000
02-503-6326	NRD DFWRC Manager	33,000
02-503-6328	NRD Permits	30,000
02-503-6332	NRD GIS	206,000
02-503-6320	Tribal Bison Range	0
02-504-6120	Tribal Council (50%)	693,245
02-504-6150	Tribal Projects	0
02-504-6151	Powwows and Celebrations	0
02-504-6160	Lobbying	0
02-504-6161	Tribal Election	30,000
02-505-6833	Two Eagle River School Supplement	0
02-506-6110	Tribal Administration Non-Indirect Cost	544,000
02-506-6111	Indirect Cost – Tribal Program Expense	1,500,000
02-506-6112	Indian Preference Office	93,000
02-506-6121	Indirect Cost Pool Shortfall	1,086,523
02-506-6125	Cash Flow and Investment Office Non-IDC	41,000
02-506-6126	Office of Records Management Non-IDC	200,000
02-506-6216	Disaster Emergency Services (50%)	33,100
02-506-6224	Tribal Court Administrative Expense	15,000
02-507-6221	Tribal Appellate Court	78,000
02-507-6222	Adult Probation	448,000
02-507-6223	Juvenile Detention	117,000
02-509-6140	Tribal Legal Department (50%)	666,000
02-510-6322	Forestry TSI	0
02-511-6400	Capital Equipment	231,000
02-511-6440	Debt Retirement	0
02-512-6100	Per Capita Payments	9,795,600
	Total	20,484,868

BE IT RESOLVED by the Tribal Council of the Confederated Salish and Kootenai Tribes that the budget reflected above is hereby approved in the total amount of \$20,484,868; and

BE IT FURTHER RESOLVED that it is requested that Tribal funds on deposit in the United States Treasury be made available to finance the operations of programs and activities in the aforementioned budget; and

BE IT FURTHER RESOLVED that such funds be appropriated to and extend from the Confederated Salish and Kootenai Tribes' Flathead Agency I.S.S.D. Account (advance status), in addition to cash reserves from the Tribal Credit Program as may be approved by the Tribal Council, as designated for each program; and

BE IT FURTHER RESOLVED that the ending surplus/(deficit) of the FY 2018 General Fund is \$399,987.

Vern Clairmont and **Ruth Swaney**, Financial Management, requested approval of a resolution approving the fiscal year 2018 Enterprise Dividend Fund Budget.

MOTION by Troy Felsman to approve by resolution the fiscal year 2018 Enterprise Dividend Fund Budget. Seconded by Dennis Clairmont. Carried, 8 for; 0 opposed; 1 abstention (Shelly Fyant).

RESOLUTION 17-179

RESOLUTION APPROVING THE FISCAL YEAR 2018 ENTERPRISE DIVIDEND FUND BUDGET

BE IT RESOLVED BY THE TRIBAL COUNCIL OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES:

WHEREAS, on May 2, 2013, the Tribal Council adopted the Council Policy to Strengthen Owner Relationship with Tribal Businesses; and

WHEREAS, corporate dividends have been received to the Enterprise Dividend Fund and are available to appropriate to the budget; and

WHEREAS, the Department of Economic Development requires a FY 2018 budget; and

WHEREAS, reduced FY 2018 General Fund revenues necessitate the budget for Forestry TSI be allocated in the Enterprise Dividend Fund Budget; and

WHEREAS, the budget will be allocated as follows:

Account	Description	Enacted Budget
03-501-6800	Economic Development	366,000
03-510-6322	Forestry TSI	448,000
	Total	814,000

BE IT RESOLVED to appropriate funds from the Enterprise Dividend Fund and enact the FY 2018 Enterprise Dividend Fund Budget; and

BE IT FURTHER RESOLVED that the total FY 2018 Enterprise Dividend Fund Budget is \$814,000.

Vern Clairmont and **Ruth Swaney**, Financial Management, requested approval of a resolution approving the fiscal year 2018 Indian Health Service Self-Governance Compact Budget.

MOTION by Troy Felsman to approve by resolution the fiscal year

2018 Indian Health Service Self-Governance Compact Budget. Seconded by Patty Stevens. Carried, 9 for; 0 opposed; 0 not voting.

RESOLUTION 17-180

RESOLUTION APPROVING THE FISCAL YEAR 2018 IHS SELF-GOVERNANCE COMPACT BUDGET

BE IT RESOLVED BY THE TRIBAL COUNCIL OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES:

WHEREAS, the Confederated Salish and Kootenai Tribes have entered into a Self-Governance Funding Agreement for FY 2016-2020 with the U.S. Department of Health and Human Services which makes available funds for the operation of Indian Health Service programs; and

WHEREAS, the estimated FY 2018 Indian Health Service funds of \$24.6 million in addition to prior years' unexpended funds are available for appropriation; and

WHEREAS, budget amounts may be adjusted upon final approval of the federal budget and distribution to the Tribes; and

WHEREAS, budgets will be allocated as follows:

Account	Program Description	Budget Amount
11-501-4150	SKHA Environmental Health	443,000
11-502-4109	Injury Prevention	53,000
11-502-4115	M&I	263,000
11-502-4130	Tribal Health Department	22,500,000
11-514-4198	Indirect Costs	1,200,000
	Total	24,459,000

BE IT RESOLVED by the Tribal Council of the Confederated Salish and Kootenai Tribes that the FY 2018 IHS Self-Governance Compact Budget is approved in the amount of \$24,459,000 and said budget may be adjusted upon receipt of final allotments.

Vern Clairmont and **Ruth Swaney**, Financial Management, requested approval of a resolution approving the fiscal year 2018 Indirect Cost Pool Budget.

MOTION by Anita Matt to approve by resolution the fiscal year 2018 Indirect Cost Pool Budget. Seconded by Dennis Clairmont. Carried, 9 for; 0 opposed; 0 not voting.

RESOLUTION 17-181

RESOLUTION APPROVING THE FISCAL YEAR 2018 INDIRECT COST POOL BUDGET

BE IT RESOLVED BY THE TRIBAL COUNCIL OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES:

WHEREAS, an Indirect Cost Pool Budget is required to properly conduct the business of the Confederated Salish and Kootenai Tribes; and

WHEREAS, the estimated expense for travel for the following programs is reduced by 50% and results in a reduced total budget allocation for FY 2018: Tribal Council, -\$6,755; Tribal Legal Department, -\$32,532; Disaster Emergency Services, -\$600; and Tribal Administrative Support, -\$1,600; and

WHEREAS, program budgets will be allocated as follows:

Account	Program Description	Budget Authority
12-506-8001	Personnel Department	450,000
12-506-8002	Facilities Maintenance	3,050,000
12-506-8003	Central Mail	198,000
12-506-8004	Tribal Council (50%)	693,245
12-506-8005	Legal Department (50%)	574,468
12-506-8006	Char-Koosta News (25%)	93,000
12-506-8007	Information Technology	1,050,000
12-506-8008	Office of Financial Management	1,400,000
12-506-8009	Property & Supply	519,000
12-506-8010	Office of Contracts and Grants	325,000
12-506-8012	Office of Records Management (12%)	27,000
12-506-8014	General Operations	1,167,000
12-506-8016	Disaster Emergency Services (50%)	29,400
12-506-8017	Office of Administrative Services	152,000
12-506-8018	Office of Tribal Services	220,000
12-506-8019	Tribal Administrative Support	188,400
	Total	10,136,513

BE IT RESOLVED by the Tribal Council of the Confederated Salish and Kootenai Tribes to approve the FY 2018 Indirect Cost Pool Budget as reflected above; and

BE IT FURTHER RESOLVED that the total FY 2018 Indirect Cost Pool Budget is \$10,136,513.

Vern Clairmont and **Ruth Swaney**, Financial Management, requested approval of a resolution approving the fiscal year 2018 Bureau of Indian Affairs Self-Governance Compact Budget.

MOTION by Troy Felsman to approve by resolution the fiscal year 2018 Bureau of Indian Affairs Self-Governance Compact Budget. Seconded by Leonard Gray. Carried, 9 for; 0 opposed; 0 not voting.

RESOLUTION 17-182

RESOLUTION APPROVING THE FISCAL YEAR 2018 BIA SELF-GOVERNANCE COMPACT BUDGET

BE IT RESOLVED BY THE TRIBAL COUNCIL OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES:

WHEREAS, the Confederated Salish and Kootenai Tribes have entered into a Self-Governance Funding Agreement for FY 2016-2020 with the U.S. Department of the Interior which makes available funds for the operation of BIA programs; and

WHEREAS, the estimated FY 2018 Indian Affairs funds of \$9.7 million subject in addition to prior years' unexpended funds are available for appropriation; and

WHEREAS, budget amounts may be adjusted upon final approval of the federal budget and distribution to the Tribes; and

WHEREAS, budgets will be allocated as follows:

Account	Program Description	Budget Amount
13-501-4526	Rights Protection	53,000
13-502-4553	Social Services	709,000
13-502-4703	Child Welfare Assistance	450,000
13-503-4513	NRD Wildlife Management	217,000
13-503-4519	Road Maintenance	197,000
13-503-4523	NRD Water Management	356,000
13-503-4558	NRD FWRC Division Manager	32,000
13-503-4559	NRD Administrative Support	324,000
13-503-4561	NRD Wildland Recreation	100,000
13-503-4580	Tribal Lands Department	1,407,000
13-505-4515	Scholarships	749,000
13-505-4517	JOM	88,800
13-506-4510	IIM Compact	133,100
13-507-4500	Tribal Court	462,000

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13-508-4514	Law Enforcement	2,144,000
13-510-4534	Tribal Forestry	1,328,000
13-514-4598	Indirect Cost	1,000,100
	Total	9,750,000

BE IT RESOLVED by the Tribal Council of the Confederated Salish and Kootenai Tribes that the FY 2018 BIA Self-Governance Compact Budget is approved in the amount of \$9,750,000 and said budget may be adjusted upon receipt of final allotments.

Vern Clairmont and **Ruth Swaney**, Financial Management, requested approval of a resolution approving the fiscal year 2018 Investment Fund Budget. **Shelly Fyant** requested a report on fee-to-trust expenses, O&M and taxes.

MOTION by Patty Stevens to approve by resolution the fiscal year 2018 Investment Fund Budget. Seconded by Len TwoTeeth. Carried, 9 for; 0 opposed; 0 not voting.

RESOLUTION 17-183

RESOLUTION APPROVING A FISCAL YEAR 2018 INVESTMENT FUND BUDGET

BE IT RESOLVED BY THE TRIBAL COUNCIL OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES:

WHEREAS, the Investment Fund was established in 2007 with funds received from the Bonneville Power Administration right-of-way settlement and was augmented by the Chippy Creek Fire settlement in 2011, the Northwestern Energy right-of-way in 2015, and the Ramah Settlement in 2016; and

WHEREAS, funds are available to appropriate for management of Tribal trust and other lands; and

WHEREAS, the budget will be allocated as follows:

Account	Description	Budget Amount
16-503-6331	Tribal Lands	370,000
TOTAL		370,000

BE IT RESOLVED by the Tribal Council of the Confederated Salish and Kootenai Tribes to appropriate funds from the Investment Fund and enact the FY 2018 Investment Fund Budget as reflected above; and

BE IT FURTHER RESOLVED that the total FY 2018 Investment Fund Budget

is \$370,000.

Vern Clairmont and **Ruth Swaney**, Financial Management, requested approval of a resolution approving the fiscal year 2018 Water Rights Budget.

MOTION by Dennis Clairmont to approve by resolution the fiscal year 2018 Water Rights Budget. Seconded by Ron Trahan. Carried, 9 for; 0 opposed; 0 not voting.

RESOLUTION 17-184

RESOLUTION APPROVING A FISCAL YEAR 2018 WATER RIGHTS BUDGET

BE IT RESOLVED BY THE TRIBAL COUNCIL OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES:

WHEREAS, there is a need to enact a budget for Water Rights and funds are available to appropriate for this purpose; and

WHEREAS, the budget will be allocated at its enacted FY 2017 level less \$27,000 for reduced travel expense, as follows:

Account	Description	Budget Amount
17-509-6141	Water Rights	3,484,000
	TOTAL	3,484,000

BE IT RESOLVED by the Tribal Council of the Confederated Salish and Kootenai Tribes to appropriate funds and enact a FY 2018 Water Rights Budget as reflected above; and

BE IT FURTHER RESOLVED that the total FY 2018 Water Rights Budget is \$3,484,000.

Vern Clairmont and **Ruth Swaney**, Financial Management, requested approval of a resolution approving the fiscal year 2018 Third Party Revenue Budget.

MOTION by Anita Matt to approve by resolution the fiscal year 2018 Third Party Revenue Budget. Seconded by Patty Stevens. Carried, 9 for; 0 opposed; 0 not voting.

RESOLUTION 17-185

RESOLUTION APPROVING THE FISCAL YEAR 2018 THIRD PARTY REVENUE BUDGET

BE IT RESOLVED BY THE TRIBAL COUNCIL OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES:

WHEREAS, the third party revenues collected from providing IHS-funded health services are available for appropriation to the priorities and programs approved by the Tribal Council; and

WHEREAS, the budget will be allocated as follows:

Account	Program Description	Budget Amount
18-502-4110	Elderly Services	1,400,000
18-502-4131	Pharmaceuticals	4,500,000
18-502-4132	Deferred Services	500,000
18-502-4145	Medically Related Support	70,000
18-502-4217	Tribal Health Department Supplement	3,468,000
18-502-4205	Facilities	35,000
18-502-4210	Justice and Mental Health Collaboration	52,000
	Total	10,025,000

BE IT RESOLVED by the Tribal Council of the Confederated Salish and Kootenai Tribes that the FY 2018 Third Party Revenue Budget is approved in the amount of \$10,025,000.

Vern Clairmont and **Ruth Swaney**, Financial Management, requested approval of a resolution approving the fiscal year 2018 Dedicated Trust Fund Budget.

MOTION by Troy Felsman to approve by resolution the fiscal year 2018 Dedicated Trust Fund Budget. Seconded by Len TwoTeeth. Carried, 8 for; 0 opposed; 1 abstention (Shelly Fyant).

RESOLUTION 17-186

RESOLUTION APPROVING A FISCAL YEAR 2018 DEDICATED TRUST FUND BUDGET

BE IT RESOLVED BY THE TRIBAL COUNCIL OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES:

WHEREAS, by Resolution 13-147 approved on April 30, 2013, the Dedicated Trust Fund was established with funds received from the settlement of *Nez Perce et al v. Salazar*; and

WHEREAS, by Resolution 15-139 approved May 5, 2015, the Tribal Council approved the appropriation of funds from the Dedicated Trust Fund to establish the Kootenai Language Program; and

WHEREAS, reduced General Fund revenues necessitate the transfer of the following programs and activities to the Dedicated Trust Fund Budget: Nkwusm; Tribal Projects (Communication Projects, Contingency for Pre-Emergencies, Donation to American Indian Veterans Memorial, Donation to Mission Valley Honor Guard, Bison Shipping/Processing, SKC Capital Campaign, Salish Language Conference, and Women for Wellness Conference); Powwows and Celebrations; Two Eagle River School Supplement; and Debt Retirement; and

WHEREAS, the budget will be allocated as follows:

Account	Description	Budget Authority
20-501-6415	Kootenai Language Program	430,000
20-501-6251	Nkwusm	616,000
20-501-6300	Facilities O&M	300,000
20-502-6416	Social Services Supplement	92,000
20-504-6150	Tribal Projects	202,350
20-504-6151	Powwows and Celebrations	89,000
20-505-6833	Two Eagle River School Supplement	133,000
20-511-6440	Debt Retirement	181,523
TOTAL		2,043,873

BE IT RESOLVED by the Tribal Council of the Confederated Salish and Kootenai Tribes to enact the FY 2018 Dedicated Trust Fund Budget as reflected above; and

BE IT FURTHER RESOLVED that the total FY 2018 Dedicated Trust Fund Budget is \$2,043,873.

Vern Clairmont and **Ruth Swaney**, Financial Management, requested approval of a resolution approving the fiscal year 2018 Fish & Wildlife Budget.

MOTION by Patty Stevens to approve by resolution the fiscal year 2018 Fish & Wildlife Budget. Seconded by Dennis Clairmont. Carried, 9 for; 0 opposed; 0 not voting.

RESOLUTION 17-187

RESOLUTION APPROVING A FISCAL YEAR 2018 FISH & WILDLIFE BUDGET

BE IT RESOLVED BY THE TRIBAL COUNCIL OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES:

WHEREAS, pursuant to the State-Tribal Cooperative Agreement, the proceeds from conservation permits and stamps shall be used to benefit the fish and wildlife resources on the Flathead Indian Reservation; and

WHEREAS, the additional activities of Yellowstone Bison hunting patrol and the Interagency Bison Management Partnership are allocated to the budget; and

WHEREAS, the budget will be allocated as follows:

Account	Description	Budget Amount
22-503-6305	NRD Fish & Game	470,000
	TOTAL	470,000

BE IT RESOLVED by the Tribal Council of the Confederated Salish and Kootenai Tribes to appropriate funds from Recreation Permits and enact the FY 2018 Fish & Wildlife Budget as reflected above; and

BE IT FURTHER RESOLVED that the total FY 2018 Fish & Wildlife Budget is \$470,000.

Vern Clairmont and **Ruth Swaney**, Financial Management, requested approval of a resolution approving the fiscal year 2018 Revenue Sharing Budget.

MOTION by Ron Trahan to approve by resolution the fiscal year 2018 Revenue Sharing Budget. Seconded by Patty Stevens. Carried, 9 for; 0 opposed; 0 not voting.

RESOLUTION 17-188

RESOLUTION APPROVING A FISCAL YEAR 2018 REVENUE SHARING BUDGET

BE IT RESOLVED BY THE TRIBAL COUNCIL OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES:

WHEREAS, pursuant to the agreement with the State of Montana, revenues from motor fuels taxes and alcohol taxes are received quarterly by the Tribes and are available for appropriation as deemed necessary by the Tribal Council; and

WHEREAS, by Resolution 15-29, the Tribal Council approved a Tribal Elder Assistance Policy and dedicated revenue sharing receipts for expenditure under the Policy; and

WHEREAS, the budget will be allocated as follows:

Account	Description	Budget Amount
32-501-6835	Tribal Elders Assistance	650,000
	TOTAL	650,000

BE IT RESOLVED by the Tribal Council of the Confederated Salish and Kootenai Tribes to appropriate funds from Revenue Sharing and enact the FY 2018 Revenue Sharing Budget as reflected above; and

BE IT FURTHER RESOLVED that the total FY 2018 Revenue Sharing Budget is \$650,000.

Vern Clairmont and **Ruth Swaney**, Financial Management, requested approval of a resolution approving the fiscal year 2018 Gaming Revenue Budget.

MOTION by Anita Matt to approve by resolution the fiscal year 2018 Gaming Revenue Budget. Seconded by Patty Stevens. Carried, 9 for; 0 opposed; 0 not voting.

RESOLUTION 17-189

RESOLUTION APPROVING A FISCAL YEAR 2018 GAMING REVENUE BUDGET

BE IT RESOLVED BY THE TRIBAL COUNCIL OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES:

WHEREAS, pursuant to Ordinance 92D (Tribal Gaming), as amended, revenues received by the Tribes shall be used only to fund Tribal government operations and programs; to provide for the general welfare of the Tribe and its members; to promote Tribal economic development; to make donations to charitable organizations; or to help fund operations of local government agencies; and

WHEREAS, the estimated expense for travel for Tribal Gaming Commission and Tribal Education Department is reduced by 50% and results in a reduced total budget allocation;

WHEREAS, the budget will be allocated as follows:

Account	Description	Budget Amount
34-501-6170	Tribal Gaming Commission	179,000
34-504-6150	Tribal Projects – Forensic Evaluations	4,000
34-504-6150	Tribal Projects – Donations	20,000
34-504-6150	Tribal Projects – Ads/Sponsorships	1,000
34-504-6200	Burial Allowance	500,000
34-505-6703	Tribal Education Department	342,700
TOTAL		1,046,700

BE IT RESOLVED by the Tribal Council of the Confederated Salish and Kootenai Tribes to appropriate Gaming Revenues and enact the FY 2018 Gaming Revenue Budget as reflected above; and

BE IT FURTHER RESOLVED that the total FY 2018 Gaming Revenue Budget is \$1,046,700.

Vern Clairmont, Financial Management, discussed Energy Keepers, Inc.'s financial status and the request for a \$5 million capital contribution to allow financial ability to expand sales and market transfers and purchases. Vern requested approval of a resolution to authorize the capital contribution to EKI generating a cash reserve for future power trading sales.

MOTION by Troy Felsman to approve the resolution to authorize the capital contribution to Energy Keepers, Inc. generating a cash reserve for future power trading sales. Seconded by Dennis Clairmont. Carried, 8 for; 0 opposed; 1 not voting (Ron Trahan out of the room).

RESOLUTION 17-190

RESOLUTION TO AUTHORIZE THE CAPITAL CONTRIBUTION TO ENERGY KEEPERS INC. GENERATING A CASH RESERVE FOR FUTURE POWER TRADING SALES

BE IT RESOLVED BY THE TRIBAL COUNCIL OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES THAT:

WHEREAS, the Tribal Council hereby authorizes a capital contribution of Five Million dollars to Energy Keepers Inc.; and

WHEREAS, these funds will be used only as a cash reserve to provide credit for future power trading sales; and

WHEREAS, it is the intent of the Confederated Salish and Kootenai Tribes to authorize five million dollars of Tribal General Funds for said capitalization; **NOW, THEREFORE**,

BE IT RESOLVED by the Tribal Council of the Confederated Salish and Kootenai Tribes that the Capital Contribution is authorized in the amount of five million dollars, to be limited to the utilization of creating a cash reserve to provide the necessary credit for the support of additional power trading sales by Energy Keepers, Incorporated.

Vern Clairmont, Financial Management, requested approval of a resolution authorizing the transfer of Tribal Credit and Enterprise Dividend funds to the General Fund of the CSKT.

MOTION by Patty Stevens to approve the resolution authorizing the transfer of Tribal Credit and Enterprise Dividend funds to the General Fund of the CSKT. Seconded by Leonard Gray. Carried, 9 for; 0 opposed; 0 not voting.

RESOLUTION 17-191

RESOLUTION AUTHORIZING THE TRANSFER OF TRIBAL CREDIT AND ENTERPRISE DIVIDEND FUNDS TO THE GENERAL FUND OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES

BE IT RESOLVED BY THE TRIBAL COUNCIL OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES THAT:

WHEREAS, the Tribal Council has authorized the transfer of two million five hundred thousand of Tribal Credit funds to The General Fund of the Confederated Salish and Kootenai Tribes; and

WHEREAS, the Tribal Council has also authorized the transfer of two million five hundred thousand of Enterprise Dividend funds to The General Fund of the Confederated Salish and Kootenai Tribes; and

WHEREAS, it is the intent of the Confederated Salish and Kootenai Tribes to authorize these funds to be transferred to Energy Keepers Inc., to create a reserve to provide credit for future power trading sales. **NOW, THEREFORE**,

BE IT RESOLVED by the Tribal Council of the Confederated Salish and Kootenai Tribes the authorizing the transfer of these funds listed above to The General Fund of the Confederated Salish and Kootenai Tribes.

Vern Clairmont, Financial Management, requested approval of a resolution

authorizing the capital contribution of Energy Keepers, Inc. interest payments on the agreement between CSKT and EKI loan.

MOTION by Anita Matt to approve the resolution authorizing the capital contribution of Energy Keepers, Inc. interest payments on the agreement between CSKT and EKI loan. Seconded by Dennis Clairmont. Carried, 9 for; 0 opposed; 0 not voting.

RESOLUTION 17-192

RESOLUTION AUTHORIZING THE CAPITAL CONTRIBUTION OF ENERGY KEEPERS INC. INTEREST PAYMENTS ON THE AGREEMENT BETWEEN CSKT & EKI LOAN

BE IT RESOLVED BY THE TRIBAL COUNCIL OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES THAT,

WHEREAS, it is necessary to provide additional capital into Energy Keepers Inc. to provide for the opportunity for capital improvements on the facility to maintain operations of the project;

WHEREAS, the Tribal Council hereby authorizes capital contributions to Energy Keepers Inc. equal to the interest payments on the loan agreement between CSKT & EKI, for next five years, beginning in Fiscal Year 2018 and continuing through Fiscal Year 2022; and

WHEREAS, these funds will be used as additional capitalization only for the specific purpose of capital improvements or repairs necessary for the continued operations of SKQ Dam, as specifically approved by the shareholder. **NOW, THEREFORE,**

BE IT RESOLVED by the Tribal Council of the Confederated Salish and Kootenai Tribes that the Capital Contribution equal to their interest payments, for the next five years, is authorized to begin in Fiscal Year 2018 and continue through Fiscal Year 2022.

Vern Clairmont, Financial Management, requested approval of a resolution approving Amendment No. 1 to restructure the loan agreement with Energy Keepers, Inc.

MOTION by Troy Felsman to approve by resolution Amendment No. 1 to restructure the loan agreement with Energy Keepers, Inc. Seconded by Dennis Clairmont. Carried, 9 for; 0 opposed; 0 not voting.

RESOLUTION 17-193

RESOLUTION TO AUTHORIZE THE AMENDMENT NUMBER 1 TO THE LOAN AGREEMENT DATED OCTOBER 14, 2014 BETWEEN THE CONFEDERATED SALISH AND KOOTENAI TRIBES (LENDER) AND ENERGY KEEPERS, INCORPORATED (BORROWER)

BE IT RESOLVED BY THE TRIBAL COUNCIL OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES THAT:

WHEREAS, it has become necessary to amend the current loan agreement, dated October 14, 2014 between the Confederated Salish and Kootenai Tribes and its corporation, Energy Keepers, Incorporated; and

WHEREAS, Borrower has requested that an amendment be made to the Loan Agreement, and the Lender is willing to agree to such amendment on the terms and subject to the conditions set forth in the attached document, titled "Amendment No.1 to Loan Agreement"; **NOW THEREFORE**,

BE IT RESOLVED by the Tribal Council of the Confederated Salish and Kootenai Tribes that the attached Amendment No. 1 to the Loan Agreement dated October 14, 2014 is hereby approved.

Vern Clairmont, Financial Management, requested approval of a resolution approving a revision to the loan agreement with Energy Keepers, Inc.

MOTION by Troy Felsman to approve by resolution the revised loan agreement with Energy Keepers, Inc. Seconded by Ron Trahan. Carried, 9 for; 0 opposed; 0 not voting.

RESOLUTION 17-194

RESOLUTION REVISING THE LOAN AGREEMENT WITH ENERGY KEEPERS, INC.

BE IT RESOLVED BY THE TRIBAL COUNCIL OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES THAT:

WHEREAS, the Tribes have established ~~Sx̣nq̣eʔels 1 Suwečm/Ksuḳṭimumat~~ 'Akamukwa'its d/b/a Energy Keepers, Inc., a federally chartered corporation that is wholly-owned by the Tribes; and

WHEREAS, pursuant to Resolution 15-021 approved on October 14, 2014, a loan agreement was executed for an amount not to exceed \$30,000,000 (thirty million dollars) for a twenty year period under the terms and conditions agreed; and

WHEREAS, the Tribes intend to amend the loan agreement as follows:

- a. The FY 2017 loan disbursement is reduced to \$2,000,000 (two million dollars);
- b. The FY 2018 loan disbursement is \$5,000,000 (five million dollars);
- c. The FY 2019 loan disbursement is \$5,000,000 (five million dollars);
- d. The FY 2020 loan disbursement is \$2,000,000 (two million dollars);
- e. The interest rate is adjusted to 3.1% for the remaining balance of the first ten-year loan period;
- f. Interest-only payments for FY 2017 through FY 2022;
- g. Interest is adjusted for the last ten years of the loan period to the prime interest rate.

BE IT RESOLVED by the Tribal Council of the Confederated Salish and Kootenai Tribes to approve the revision of the loan agreement with Energy Keepers, Inc., according to the terms and conditions as stated in the foregoing.

Vern Clairmont, Financial Management, requested approval of a resolution authorizing the reduction of the land rental payment and cap the payment for the remainder of the license period for Energy Keepers, Inc. until 2035.

MOTION by Dennis Clairmont to approve by resolution the reduction of the land rental payment and cap the payment for the remainder of the license period until 2035. Seconded by Ron Trahan. Carried, 9 for; 0 opposed; 0 not voting.

RESOLUTION 17-195

RESOLUTION TO AUTHORIZE THE REDUCTION OF THE LAND RENTAL PAYMENT AND TO CAP THE PAYMENT FOR REMAINDER OF THE LICENSE PERIOD

BE IT RESOLVED BY THE TRIBAL COUNCIL OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES THAT:

WHEREAS, in effort to enhance Energy Keepers Inc. financial health the land rental payment will be reduced and capped at Eighteen Million dollars; and

WHEREAS, the Tribal Council hereby acknowledges the termination of Article 39a of the FERC license with the conveyance to the Confederated Salish and Kootenai Tribes; **NOW, THEREFORE**,

BE IT RESOLVED by the Tribal Council of the Confederated Salish and Kootenai Tribes that the land rental payment is reduced and capped Eighteen

Million dollars for the remainder of the license period.

Council **recessed** the regular meeting at 12:25 p.m. to conduct an Energy Keepers, Inc. shareholder representative meeting.

Council **reconvened** into the regular meeting at 12:26 p.m.

***** **Lunch** *****

Joe Durglo, Tribal Health Department, requested authorization to hire Ellen Kaphammer on a three-year contract to fill the Polson Clinic Nurse position. The vacancy was advertised and there were no qualified tribal member applicants.

MOTION by Ron Trahan to approve the hire of Ellen Kaphammer on a three-year contract to fill the Polson Clinic Nurse position, due to no qualified tribal member applicants. Seconded by Anita Matt. Carried, unanimous (9 present).

Joe Durglo, Tribal Health Department, requested authorization to hire Kimberly Byxbee on a three-year contract to fill the Staff Dentist position. The vacancy was advertised and there were no qualified tribal member applicants.

MOTION by Patty Stevens to approve the hire of Kimberly Byxbee on a three-year contract to fill the Staff Dentist position, due to no qualified tribal member applicants. Seconded by Dennis Clairmont. Carried, unanimous (9 present).

Joe Durglo, Tribal Health Department, requested authorization to hire Margit Groessler on a three-year contract to fill the Medical Clinician position for the St. Ignatius Clinic. The vacancy was advertised and there were no qualified tribal member applicants.

MOTION by Dennis Clairmont to approve the hire of Margit Groessler on a three-year contract to fill the Medical Clinician position for the St. Ignatius Clinic. Seconded by Anita Matt. Carried, unanimous (9 present).

Joe Durglo, Tribal Health Department, discussed his request to use the Ronan Fitness Center facility. Jane Clairmont had assigned the space to Early Childhood Services. Jeanne agreed to allow THD to use the facility since ECS has no immediate need for it. The facility will be used for the Community Health program. Once the modular is remodeled Joe will revisit with Jeanne about whether she needs the space. Joe requested authorization to use the space for THD. The Lands Department will not give him the key until council takes action.

MOTION by Ron Trahan to allow the Tribal Health Department to use the Ronan Fitness Center facility. Seconded by Troy Felsman. Carried, unanimous (8 present – Len TwoTeeth out of the room).

Joe Durglo, Tribal Health Department, confirmed the Health Committee meeting scheduled for tomorrow at 9:00 a.m.

Joe Durglo, Tribal Health Department, requested approval of a memorandum of understanding with Salish Kootenai College to formalize the support Tribal Health provides to the Men’s Wellness activity and Women’s Wellness activity. Tribal Health is a top level sponsor of the Women 4 Wellness event. **No action taken**. Council requested a copy of the MOU so they can review the document prior to taking action.

Joe Durglo, Tribal Health Department, informed council that THD is trying to sort through what is a pay differential for staff starting now in positions in the organizational chart at the level that the incumbents are at and remained at since their start dates. The Fitness staff will be offered a rate of pay that is higher than the current staff’s rate of pay. **Patty Stevens** commented that the current staff could have applied for those positions that pay the higher rate of pay.

John Wheeler and **Daniel Tromp**, Kicking Horse Job Corps Center; and **Martin Charlo**, Contracts & Grants; requested approval to hire Ivan Barbadillo to fill the Residential Counselor position. The vacancy was advertised and there were no qualified tribal member applicants.

MOTION by Shelly Fyant to approve the hire of Ivan Barbadillo to fill the Residential Counselor position on a three-year contract, due to no qualified tribal member applicants. Seconded by Troy Felsman. Carried, unanimous (9 present).

Jeanne Christopher and **Shanell Teigen**, Early Childhood Services; and **Melanie Piedalue**, Personnel Department; requested the hire of nonmembers on three-year contracts. The vacancies were advertised and there were not enough qualified tribal member applicants. All qualified tribal member applicants are hired to fill vacancies.

MOTION by Patty Stevens to authorize the hire of Elizabeth Camel on a three-year contract to fill the Education Manager position, due to no qualified tribal member applicants. Seconded by Leonard Gray. Carried, unanimous (9 present).

MOTION by Anita Matt to authorize the hire of Amanda Hoback on

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a three-year contract to fill the Head Start Teacher position, due to no qualified tribal member applicants. Seconded by Leonard Gray. Carried, unanimous (9 present).

MOTION by Troy Felsman to authorize the hire of Nicole Perry on a three-year contract to fill the Head Start Teacher Aide in Training position, due to no qualified tribal member applicants. Seconded by Patty Stevens. Carried, unanimous (9 present).

MOTION by Leonard Gray to authorize the hire of Sarah Anderson on a three-year contract to fill the Infant/Toddler Teacher position, due to no qualified tribal member applicants. Seconded by Len TwoTeeth. Carried, unanimous (9 present).

MOTION by Patty Stevens to authorize the hire of Amber Haynes on a three-year contract to fill the Infant/Toddler Teacher in Training position, due to no qualified tribal member applicants. Seconded by Troy Felsman. Carried, unanimous (9 present).

MOTION by Anita Matt to authorize the hire of Amy McKeever on a three-year contract to fill the Cook position, due to no qualified tribal member applicants. Seconded by Leonard Gray. Carried, unanimous (9 present).

MOTION by Dennis Clairmont to authorize the hire of Esther Johnson on a three-year contract to fill the Cook position, due to no qualified tribal member applicants. Seconded by Troy Felsman. Carried, unanimous (9 present).

MOTION by Ron Trahan to authorize the hire of Elizabeth Collins on a three-year contract to fill the Special Services Aide position, due to no qualified tribal member applicants. Seconded by Anita Matt. Carried, unanimous (9 present).

MOTION by Len TwoTeeth to authorize the hire of Jody Jones on a three-year contract to fill the Special Services Coordinator position, due to no qualified tribal member applicants. Seconded by Troy Felsman. Carried, unanimous (9 present).

Arlene Templer, Kelly Parker and Carmelita Matt, Department of Human Resources Development; and **Melanie Piedalue**, Personnel Department; requested authorization to transfer Debra McCauley from the Parent Assist Fund Teen Education contract position to the Title IV-E Administrative Assistant full-time permanent position. The administrative assistant was a vacant position that was not advertised. The Teen Parenting grant was not renewed, so Debra would lose her job and Arlene would like to move her into

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this position. The vacant position was previously filled by TANF or WIA workers but it has been difficult to keep filled. Converting an employee from contract status to full-time permanent status requires council approval.

MOTION by Troy Felsman to authorize the transfer of Debra McCauley from the Parent Assist Fund Teen Education contract position to the Title IV-E Administrative Assistant full-time permanent position. Seconded by Len TwoTeeth. Carried, unanimous (9 present).

Arlene Templer, Kelly Parker and Carmelita Matt, Department of Human Resources Development, discussed a \$3.1 million Department of Commerce grant opportunity that could be used for infrastructure projects. Arlene would like to pursue this grant funding for the Mission Mart project.

Arlene Templer, Kelly Parker and Carmelita Matt, Department of Human Resources Development, requested approval of a revised organization chart.

MOTION by Patty Stevens to approve the revised organizational chart for the Department of Human Resources Development. Seconded by Troy Felsman. Carried, unanimous (9 present).

MOTION by Len TwoTeeth to authorize the transfer of Chelsea Higgins from Second Circle to CPS on a two-year contract. Seconded by Dennis Clairmont. Carried, unanimous (9 present).

MOTION by Anita Matt to authorize the hire of Shanna Henderson on a two-year contract in a Trainee position. Seconded by Len TwoTeeth. Carried, unanimous (9 present).

Arlene Templer, Department of Human Resources Development, informed council that she was told by Jane Clairmont that it would take council action to allow DHRD to use the DHRD parking lot for the Medicine Wheel Bike Event on July 31. It was the **consensus** of council to authorize DHRD to use the parking lot for the bike event.

Arlene Templer informed council that she submitted her name to be appointed to serve on the Child Abuse and Neglect Commission.

***** **Break** *****

Leonard Gray left the meeting for the remainder of the day.

Mary Custer and **Katie Bacon**, S&K Global Solutions, introduced themselves to council. They work in the Houston office and are here visiting the S&K Technologies offices.

Selina Kenmille and **Julia Williams**, Friends Forever Mentoring, gave a report on the summer program and requested a financial contribution to be part of the budget process.

Dennis Clairmont left the meeting for the remainder of the day.

Patty Stevens discussed the status of the position description for the Tribal Health Department Director. A committee should be developed. **Chairman Finley** sent the position description for council input.

Patty Stevens discussed an issue regarding an employee in Contracts & Grants that helps at Kicking Horse Job Corps Center and wants to split his job into two positions. **Chairman Finley** reported that Jami Pluff is compiling all the information, our obligation in the contract and how we go about fulfilling those obligations, and what the issues are with the Department of Labor.

Patty Stevens discussed a call she received from a tribal member regarding a letter he sent to the Department of Human Resources Development on June 28 and did not get a response.

Trish White informed council that her daughter is attending Washington State University. She graduated her freshman year with honors. Her daughter feels disrespected by the Tribes, and wants to know if she needs to get in trouble or do drugs to get the Tribes' attention. She feels the Tribe does not have her back. She is the only the tribal member that has not had any tribal council representation at the university. She is intelligent and is a pre-med student. Trish wanted council to be aware of her daughter's frustrations, since she sees everyone who has been through the court system get phone calls from council and she gets nothing. **Council** advised that they were not aware that she was in college and have never been invited to go to WSU.

MOTION by Ron Trahan to adjourn the meeting. Seconded by Len TwoTeeth. Carried, unanimous (7 present).

Council **adjourned** at 3:35 p.m., and is scheduled to meet again on Tuesday, August 1, 2017, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Troy Felsman
Tribal Secretary